

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mesens *et al.*

Appl. No. 09/578,908

Filed: May 26, 2000

For: **Microencapsulated 3-Piperidinyl-  
Substituted 1,2-Benzisoxazoles  
and 1,2-Benzisothiazoles**

Art Unit: 1626

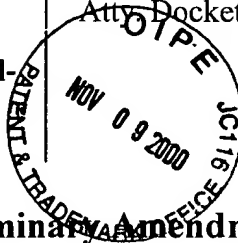
Examiner: To be assigned

Atty Docket: 00166.0051.US05

# 5/B  
4/23/01  
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**Second Preliminary Amendment**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Please enter the following Second Preliminary Amendment in the above-captioned application prior to the examination thereof.

It is not believed that extensions of time or fees for net addition of claims are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to our Deposit Account No. 50-0740 referring to docket number 00166.0051.US05.

**Amendments**

11/13/2000 SDENBOB1 00000049 500740 09578908  
01 FC:102 160.00 CH  
02 FC:103 144.00 CH

**In the Claims:**

Please add the following new claims 15-28.

--15. The method of claim 3, wherein the microparticles comprise a plurality of sizes to provide for delivery of the active agent in a multi-phasic manner.

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